Anwar et al v. Fairfield Greenwich Limited et al Doc. 192

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANWAR, et al. v. FAIRFIELD GREENWICH LIMITED, et al.	Master File No. 09 CV 0118 (VM) 09 CV 2366 (VM) (Ferber Action) 09 CV 2588 (VM) (Pierce Action) 09 CV 5012 (VM) (Morning Mist Action)

DERIVATIVE PLAINTIFFS' NOTICE OF WITHDRAWAL
OF CERTAIN MOTIONS WITHOUT PREJUDICE

PLEASE TAKE NOTICE THAT, in accordance with procedures settled during the July 21, 2009 teleconference before the Honorable Theodore H. Katz, the Derivative Plaintiffs, by their undersigned counsel, hereby withdraw without prejudice the following:

1) The *Morning Mist* Plaintiffs' Motion to Vacate Consolidation Order and to Appoint Movants' Counsel as Co-Lead Derivative Counsel, dated June 24, 2009;[1]

2) In the *Ferber* action, that branch of the motion dated April 8, 2009, to vacate the Court's Order consolidating such action with *Anwar*;[2] and

3) In the *Pierce* action, that branch of the motion, dated April 14, 2009, to vacate the Court's Order consolidating such action with *Anwar*.[3]

[1] The motion is docketed as Dkt. 13 in 09 CV 5012 (*Morning Mist*), Dkt. 48 in 09 CV 2366 (*Ferber*), Dkt. 50 in 09 CV 2588 (*Pierce*), and Dkt. 173 in 09 CV 0118 (*Anwar*).

[2] The motion is docketed as Dkt. 11 in 09 CV 2366 (*Ferber*), and Dkt. 88 in 09 CV 0118 (*Anwar*).

[3] The motion is docketed as Dkt. 12 in 09 CV 2588 (*Pierce*), and Dkt. 90 in 09 CV 118 (*Anwar*).

Dockets.Justia.com

Dated: July 22, 2009

Respectfully submitted,

/s/ Robert A. Wallner

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